

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2-27-12</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BAYER HEALTHCARE LLC,

Plaintiff,

v.

CIPLA LTD., VERITAS PHARMA PTE. LTD. d/b/a OTC
PET MEDS, RONIN VENTURES PTE. LTD. d/b/a
TRUSTED PET MEDS, OKPET.COM, ARCHIPELAGO
SUPPLIERS PTY LTD d/b/a FREEDOM-
PHARMACY.COM and USAPHARMACYPILLS.COM,
HEALTHY CHOICE PHARMACY.COM INC. d/b/a THE
PHARMACY EXPRESS, and ABC COMPANIES 1-100,

Defendants.

11 CIV. 6347 (PKC)

ECF CASE

**ORDER FOR ALTERNATIVE
SERVICE OF
MOTION PAPERS**

WHEREAS, Plaintiff Bayer HealthCare LLC ("Bayer") filed a notice of motion for civil contempt and order for sanctions against defendants Veritas Pharma Pte. Ltd., d/b/a OTC Pet Meds and OKPet.com, (the "Defendants") on February 6, 2012;

WHEREAS, Plaintiff Bayer is required by Local Civil Rule 83.6 to serve Defendants in "the manner provided for by the Federal Rules of Civil Procedure for the service of a summons;"

WHEREAS, on September 14, 2011, this Court granted Bayer leave to serve Defendants the summons, complaint and preliminary injunction motion by alternative means;

WHEREAS, despite diligent efforts, Bayer has been unable to locate an office for service of process for Defendants because efforts to obtain a reliable physical address failed, and Bayer knows no appropriate mailing address by which to serve them;

WHEREAS, service of the motion for a finding of civil contempt and order for sanctions at the following e-mail addresses is reasonably calculated to give Defendants actual notice of the motion and does not offend due process:

- Veritas Pharma Pte. Ltd., d/b/a OTC Pet Meds, by e-mail at sales@otcvetmeds.com;
- OKPet.com by e-mail at info@okpet.com and techsupport@okpet.com;

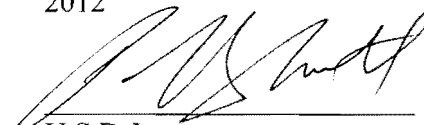
NOW THEREFORE, IT IS HEREBY ORDERED, pursuant to Fed. R. Civ. P. 4(f)(3) and 4(h)(2) and Local Civil Rule 83.6, that Bayer may serve its notice of motion for a finding of civil contempt and order for sanctions and accompanying brief and declarations thereto, along with a copy of this Order, on:

- Veritas Pharma Pte. Ltd., d/b/a OTC Pet Meds, by e-mail at sales@otcvetmeds.com;
- OKPet.com by e-mail at info@okpet.com and techsupport@okpet.com.

IT IS FURTHER ORDERED that defendants shall serve their opposition, if any, to Bayer's motion for a finding of civil contempt and order for sanctions within 17 days of the date of Bayer's service, and any reply by Bayer should be served within seven days.

This Order terminates the ~~order~~ motion at Docket # 42,

SO ORDERED this 27th day of February,
2012



U.S.D.J.